

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SPENCER MEYER, individually and on
behalf of those similarly situated,

Plaintiffs,

-against-

TRAVIS KALANICK and UBER
TECHNOLOGIES, INC.

Defendants.
-----X

Case No. 1:15-cv-9796 (JSR)

**NOTICE OF MOTION AND MOTION
TO COMPEL ARBITRATION**

PLEASE TAKE NOTICE THAT Defendant Uber Technologies, Inc. (“Uber”) will and hereby does move this Court, before the Honorable Jed S. Rakoff, courtroom 14B, 500 Pearl St., New York, NY 10007, for an order dismissing these proceedings in favor of arbitration of the claims brought by Plaintiff Spencer Meyer, with response papers to be filed by June 29, reply papers to be filed by July 7, and oral argument to be held on July 14 at 4:00 P.M. Uber’s motion is based upon this Notice of Motion, the Memorandum of Points and Authorities offered in support thereof, the supporting declaration of Vincent Mi and all exhibits thereto, all documents in the Court’s file, any matters of which the Court may take judicial notice, and any evidence or argument presented in this matter.

Pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*, Uber seeks the following relief: an order dismissing this litigation in favor of arbitration.¹

¹ If the Court determines that Uber has the right to compel arbitration of Plaintiff’s claims but Mr. Kalanick does not, then Uber requests that the Court stay this action pending completion of arbitration proceedings between Uber and Plaintiff. *See* 9 U.S.C. § 3 (“the court ... shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement”); *Katz v. Cellco P’ship*, 794 F.3d 341, (Cont’d on next page)

Dated: June 21, 2016

Respectfully submitted,

/s/ Reed Brodsky
Reed Brodsky

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345-47 (2d Cir. 2015) (“the FAA mandate[s] a stay of proceedings when ... a stay [is] requested”).

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2016, I filed and therefore caused the foregoing document to be served via the CM/ECF system in the United States District Court for the Southern District of New York on all parties registered for CM/ECF in the above-captioned matter.

/s/ Reed Brodsky
Reed Brodsky